

CHAPTER 5 – APPEALS; VIOLATIONS AND ENFORCEMENT

Section 5.01 Appeal to Board of Directors

Any person aggrieved by a District regulation or an action of the District in administering the provisions of these Rules is entitled to a hearing before the Board of Directors of the District. The decision of the Board of Directors with respect to such grievance shall be final and binding upon all parties.

Section 5.02 Penalties for Violations

(a) Violations of District Rules; Exceptions

Except as provided in Sections 2.08 and 5.02(b), or otherwise expressly provided in these Rules, any person who violates these rules or any terms or provisions of any permit or other authorization granted pursuant to these Rules shall be subject to a civil penalty or fine of not more than \$2,000. Each act or day of violation constitutes a separate offense.

(b) Violations of Chapter 4 (Drought Contingency Plan)

(1) An offense under Chapter 4 is punishable pursuant to the following procedure, which shall be administered by the District or its designee:

- a. The first violation shall result in an informal warning to the perpetrator.
- b. The second violation shall result in a formal warning to the perpetrator.
- c. The third violation shall result in a civil penalty or fine of \$250.
- d. The fourth violation shall result in a civil penalty or fine of \$500.

- e. Each subsequent offense shall result in an additional \$250 civil penalty or fine over the amount for the immediately preceding offense, not to exceed \$5,000 in any event.

(2) The grounds for escalation of the penalty with each violation by a given customer of the District shall carry over from season to season and year to year, on a cumulative basis.

Section 5.03 Enforcement

The District may enforce these rules by mandatory or prohibitory injunction and any other legal remedy available to the District.